IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

Crl.MC.No. 2974 of 2007()

SC.66/2007 of I ADDL.SESSIONS COURT, ERNAKULAM

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PETITIONER: ACCUSED NO,.6

FAYAS, S/O.USMAN, AGED 30 YEARS,
NELLIKKATTUKUZHY HOUSE, NEAR WIRE
ROPES, POOKKATTUPADI, ALUVA EAST VILLAGE.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR HONOURABLE HIGH COURT OF KERALA
AT ERNAKULAM REPRESENTED BY THE CIRCLE INSPECTOR
OF POLICE, BINANIPURAM POLICE STATION,
IN CRIME NO.157/2001

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 12/10/2007, THE COURT ON 15/10/2007 PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.2974 of 2007

Dated this the 27th day of September, 2007

O R D E R

No representation for the petitioner. The short grievance raised by the petitioner in this Crl.M.C is that Annexure-II application-Crl.M.P.2964 of 2007 filed by him and pending before the learned Additional District and Sessions Judge, Ernakulam in S.C.66 of 2007 is not being disposed of by the learned Sessions Judge. The report of the learned Sessions Judge was called for. The report dated 1.10.07 submitted by the learned Sessions Judge shows that the said Crl.M.P.2964 of 2007 was allowed on 1.10.07 directing the return of the passport to the petitioner/6th accused.

2. It is evident that relief having been granted to the petitioner by the learned Sessions Judge, the petitioner is not interested in prosecuting this Crl.M.C and accordingly this Crl.M.C is dismissed.

R.BASANT, JUDGE)

rtr/-

R.BASANT, J

Crl.M.C.No.2974 of 2007

Dated this the 27th day of September, 2007

O R D E R

No representation for the petitioner. I have gone through the averments in the Crl.M.C. The short grievance of the petitioner is that Annexure-II application-M.P.2964 of 2007 filed before the learned

Additional District and Sessions Judge, Ernakulam in S.C.66 of 2007 is not disposed of by the learned Sessions Judge. The petitioner prays that there may be a direction to dispose of the said petition expeditiously. In that petition, the petitioner has prayed that his passport which was surrendered before the learned Magistrate as a condition for grant of bail may now be directed to be released to him. There is an alternate prayer that the Sessions Case may be directed to be disposed of expeditiously.

2. Notice given. The learned Public Prosecutor appears for the respondent/State. Call for a report from the learned Sessions Judge. The learned Sessions Judge shall report whether the said petition is pending and why it has not been disposed of. I need only say that I expect the learned Sessions Judge, if such petition is pending, to dispose of the same as expeditiously as possible. The report of the learned Sessions Judge must reach this Court by 12.10.07.

Call on 12.10.07.

R.BASANT, JUDGE)

rtr/-